

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

TIMOTHY SIMMS,	:	Case No. 2:22-cv-474
	:	
Petitioner,	:	
	:	
vs.	:	Judge Edmund A. Sargus, Jr.
	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
KEITH FOWLEY,	:	
	:	
	:	
Respondent.	:	
	:	

ORDER

This habeas corpus matter is before the Court on two letters from Petitioner. First, Petitioner inquires whether all the attachments he submitted with the Petition have been filed. (ECF No. 5). The Clerk of Court is **DIRECTED** to send Petitioner a full copy of the Petition as filed with the Court, including all attachments, for his records. (*See* ECF No. 4).

Second, Petitioner writes that he already submitted the \$5 filing fee for this action. (ECF No. 7). He previously provided a copy of a “Personal A/C Withdrawal Check Out-Slip” appearing to show \$5 being removed from his inmate account on February 28, 2022, for a check to this Court. (ECF No. 4-5, PageID 134). However, upon inquiry, the Clerk reports that the Court has not received a check to pay Petitioner’s \$5 filing fee. According to this Court’s Order (ECF No. 6), Petitioner’s filing fee was due on August 24, 2022.

Petitioner’s letter (ECF No. 7) is construed as a motion for an extension of time to pay the \$5 filing fee and is **GRANTED**. Petitioner’s \$5 filing fee is now due by **September 19, 2022**.

IT IS SO ORDERED.

August 29, 2022

s/Peter B. Silvain, Jr.

Peter B. Silvain, Jr.
United States Magistrate Judge